

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2000-214-C - ORDER NO. 2001-755
AUGUST 16, 2001

IN RE: Application of Pathnet, Inc. for a Certificate of) ORDER CANCELLING
Public Convenience and Necessity to Provide) CERTIFICATE
Intrastate Interexchange, Local Exchange, and)
Exchange Access Telecommunications Services)
within the State of South Carolina.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a request from Pathnet, Inc. (Pathnet or the Company) seeking cancellation of its Certificate of Public Convenience and Necessity to provide intrastate interexchange, local exchange, and exchange access telecommunications services in the State of South Carolina and for flexible regulation of its local services and alternative regulation of its interexchange services. The Commission granted Pathnet authority to provide competitive resold and facilities-based intrastate local exchange service and intrastate interLATA interexchange service by Order No. 2000-678 issued August 22, 2000, and subsequently granted flexible regulation of local services and alternative regulation of interexchange services by Order No. 2000-856 issued October 23, 2000.

By letter dated August 1, 2001, senior vice president and general counsel for Pathnet advised the Commission that the Company was no longer in need of its Certificate of Public Convenience and Necessity. The request for cancellation provided that the Company had never offered telecommunications services in the state of South

Carolina, and therefore, had no customers in South Carolina. Pathnet further stated that the Company filed for Chapter 11 bankruptcy protection on April 2, 2001, and the only alternative available to Pathnet would be to sell the Company. The potential purchase of the Company never materialized and as a result, Pathnet has no choice but to shut down the Company. Based upon these facts, Pathnet requests that its Certificate be cancelled.

Upon consideration of this matter, the Commission finds and concludes that the request of Pathnet to cancel its Certificate should be granted.

IT IS THEREFORE ORDERED THAT:

1. The Certificate of Public Convenience and Necessity to provide resold and facilities-based local exchange, interexchange and exchange access telecommunications services, including flexible and alternative regulation authorized by Order No. 2000-678 and Order No. 2000-856 is hereby cancelled.

2. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)